



## **ZONING ADMINISTRATOR NOTICE OF DECISION**

**Date:** November 9, 2010  
**Applicant:** The Door Christian Center  
**Case No.:** PCC-10-051  
**Address:** 320 Broadway  
**Project Planner:** Michael W. Walker

Notice is hereby given that on November 9, 2010 the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-10-051, filed by The Door Christian Center ("Applicant"). The Applicant requests to establish a church in an existing commercial building ("Project"). The Project site is located at 320 Broadway ("Project Site") owned by West Broadway Investors, LLC ("Property Owner"). The Project Site is zoned UC-13 Mid Broadway and UC-14 Harborview by the Urban Core Specific Plan (UCSP) and designated Mixed-Use Residential (MUR) by the General Plan. The Project is more specifically described as follows:

The Project is a request for a conditional use permit from The Door Christian Center to relocate from 632 E Street to an existing vacant 6,440sf building located at 320 Broadway. The Christian Center will use the building to hold worship services and provide administrative offices for pastoral staff. Worship services will be held by the following schedule:

- Sunday 8:45 a.m. – 1:00 p.m. and 5:00 p.m. – 9:00 p.m.
- Wednesday 4:00 a.m. – 9:00 a.m. and 6:00 p.m. – 9:00 p.m.
- Weekdays 4:00 a.m. – 9:00 a.m.

The church will seat 100-120 people, which requires 34 parking spaces per Section 19.62.050(9). Also developed on the property is another commercial building with two separate tenant spaces located across the drive aisle north of the church. One tenant use is a bar and the other space is vacant. There are 52 on-site parking at the rear of the site, which is sufficient to accommodate the church and other uses. Furthermore, church worship hours are such that there will not be in conflict with existing and future uses conducting business on the property. Although the property has two zones, the church use will not be affected because this is an Unclassified Use permitted in any zone with a conditional use permit, and this Conditional Use Permit will be valid for five (5) years.

The Project has been reviewed for compliance with the California Environmental Quality Act (CEQA), and it has been determined that the Project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (existing facilities) in accordance with the State CEQA Guidelines. No further environmental review is necessary.

The Zoning Administrator, under the provisions of Sections 19.14.030.A of the CVMC and the provisions in the UCSP, has been able to make the findings for approval of this conditional use permit as required by CVMC Section 19.14.080:

**Findings of Fact are as follows:**

- 1. That the proposed use at this location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.**

The Door Christian Center Church will provide a convenient place of choice for worship, for citizens residing in Chula Vista particularly living in west Chula Vista. The church will occupy floor space in an existing 6,440sf commercial building. The use will be conducted at a convenient and accessible location that contains the amenities necessary to support the use.

- 2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The Door Christian Center is established in an existing vacant 6,440sf building located at 320 Broadway. The Center will use the building to hold worship services and provide administrative offices for pastoral staff. Worship services for approximately 100-120 people will be held by the following schedule:

- Sunday 8:45 a.m. – 1:00 p.m. and 5:00 p.m. – 9:00 p.m.
- Wednesday 4:00 a.m. - 9:00 a.m. and 6:00 p.m. – 9:00 p.m.
- Weekdays 4:00 a.m. – 9:00 a.m.

Churches are considered Unclassified Uses, which are allowed in any zone with a conditional use permit. Furthermore, church worship hours are such that there will not be in conflict with existing and future uses conducting business on the property or the uses in the area.

- 3. That the use will comply with the regulations and conditions specified in the code for such use.**

Per CVMC Section 19.62.050(9), churches require one space per 3.5 seats in the auditorium. The Church requires 34 parking spaces for up to 120 seats. The subject property has a total of 52 on-site parking spaces available. The approval of this conditional use permit is contingent on the Applicant's and Property Owner's commitment to satisfy all conditions of approval and to comply with all applicable regulations and standards specified in the Municipal Code. The Applicant has committed to implement and satisfy all conditions of approval for the proposed use, and will comply with all applicable City zoning regulations.

**4. That the granting of the Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.**

The church is a temporary use that provides a place of worship to community. The Zoning Ordinance identifies a church as an "Unclassified Use", which is allowed in any zone with a conditional use permit. The temporary conditional use permit for the church, will not affect the goals and objectives of the General Plan and UCSP.

Approval of PCC-10-051 is conditioned upon the following conditions in Sections I, II and III:

**I. The following conditions of approval shall be satisfied prior to issuance of the building permit for the project:**

- A. The Property Owner and the Applicant shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and Applicant have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 days shall indicate the Property Owner/Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

\_\_\_\_\_  
Signature of Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Property Owner

\_\_\_\_\_  
Date

**Building Division Condition:**

1. The Applicant shall comply with the 2007 California Building Code (CBC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electrical Code (CEC), California Fire Code (CFC), 2008 California Energy Code, the Green Building Ordinance (CVMC 15.12) and all other locally adopted City and state requirements.

**II. The following conditions shall be satisfied prior to occupancy:**

**Fire Conditions:**

2. The Applicant shall ensure that the fire lane has a minimum 20-foot clearance at all times.
3. The Applicant shall provide a Knox Vault at the main entrance to the building.
4. The building shall be addressed in accordance with the following criteria:


- 0 – 50ft from the building to the face of the curb = 6-inches in height with a 1-inch stroke
  - 51 – 150ft from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
  - 151ft from the building to the face of the curb = 16-inches in height with a 2-inch stroke
5. The Applicant shall provide one (1) 2:A-10:B:C fire extinguisher for every 75 feet of travel in any direction.

**III. The following on-going conditions shall apply to the subject property as long as it relies upon this approval.**

6. The Applicant shall maintain the Project in accordance with the approved plans for PCC-10-051 date stamped on November 9, 2010, which includes a site plan and elevations on file in the Planning Division, the conditions contained herein, Title 19, and the UCSP.
7. Approval of this Conditional Use Permit shall not waive compliance with all sections of Title 19 (Zoning) of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.
8. This Conditional Use Permit authorizes only the use specified in the application for PCC-10-051, which shall expire in five years on November 9, 2015 unless a request for extension is made to the Zoning Administrator. Any new use or modification/expansion of uses authorized under PCC-10-051 shall be subject to the review and approval of the Zoning Administrator.
9. The Applicant/Operator shall and does hereby agree to indemnify, protect, defend and hold harmless City, its Council members, officers, employees, agents and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorneys' fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein. Applicant/Operator shall acknowledge their agreement to this provision by executing a copy of this conditional use permit where indicated, above. Applicant's/Operator's compliance with this provision is an express condition of this conditional use permit and this provision shall be binding on any and all of Applicant's/Operator's successors and assigns.
10. This Conditional Use Permit shall become void and ineffective if not utilized or extended within the time allotted in Section 19.14.260 of the Municipal Code.

- 11 Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.
12. If any of the foregoing conditions fails to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this conditional use permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,  
CALIFORNIA, this 9<sup>th</sup> day of November 2010.

  
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Mary Lachana  
Zoning Administrator